IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.1691 OF 2004

Eknath Jadhav & Ors. ..Petitioners.
Vs.
Mathurabai Kalsule & anr. ..Respondents.

...

Mr. S.M. Sahasrabudhe for the petitioners.
Mr. U.B. Nighot for Respondent Nos.1 and 2.

....

CORAM : DR.D.Y.CHANDRACHUD, J.

31st August, 2005.

P.C. :

Ordinarily, pleadings are permitted to be amended liberally. In the present case, however, the application for amendment was only an attempt to delay the hearing of the appeal. A suit for injunction simpliciter was filed in 1984 and came to be decided in 1999. The plaint was amended twice during the pendency of the appeal on 15th June, 2001 and 3rd May, 2002. Thereafter a fresh application for amendment was filed merely within a period of four months on 13th September, 2002. The Additional District Judge noted that the request was to add a particular number or word, to delete a particular number or to insert a particular date. The

amendment is anything but bonafide. No case for interference is, in these peculiar circumstances, made out. The Petition is rejected.